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CHESTER M. KELLER
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April 3, 2008

Honorable Stanley R. Chesler
United States District Judge
U.S. Post Office & Courthouse
Federal Square
Newark, New Jersey 07101

Re: United States v. Tanya Brandon
Criminal No. 05-755

Dear Judge Chesler:

Enclosed please find a motion to reduce the sentence in the above-captioned matter pursuant to 18 U.S.C. § 3582.

SO ORDERED:

It is respectfully requested that Your Honor appoint the Federal Public Defender's Office to represent Ms. Brandon in this motion. Her previously appointed attorney, Isabel McGinty requests that this office file a reduction motion. By copy of this cover letter and motion I am so advising Ms. Brandon. The Bureau of Prisons lists July 6, 2009 as the release date for Ms. Brandon.

A review by this office of Ms. Brandon's case seems to indicate that she may qualify for a reduction of sentence under the revised crack cocaine guideline. Ms. McGinty has supplied pertinent documents to me. Ms. Brandon's conviction was for the use of a communication facility to facilitate the distribution of crack cocaine. The applicable guideline range is based on the amount of crack cocaine involved in the offense - 11.5 grams. The presentence report indicates that the base offense level was found to be 26 and the total offense level to be 23. Under current law, the base offense level would be 24 and the total offense level would be 21. Your Honor granted a departure or variance because a sentence of 36 months was imposed. The recommended range in the report was deemed to be 70-87 months, though the statutory maximum was 48 months.

The amended guideline range would become 57-71 months, but the statutory maximum of 48 months remains. If Your Honor's determination as to the extent of departure or variance remains the same, Ms. Brandon may benefit from such analysis with a reduced sentence.

Thank you for consideration of these requests for the appointment of counsel and the reduction of sentence.

Respectfully,

s/Chester M. Keller
First Assistant Federal Public Defender

CMK:CDL

cc: Eric Schweiker, Esq.
Assistant United States Attorney

Matthew Miller
U.S. Probation Officer

Tanya Brandon